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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 96430V-8 PH12:05
CLASSEN, John B.) Examiner: B. BRUMBACK
Serial No.: 08/591,651) Washington, D.C.
Filed: February 12, 1996) Date: November 4, 1999
For: METHOD AND COMPOSITION FOR AN) Docket No.: CLASSEN=1A
EARLY VACCINE...)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated May 4, 1999 of the Primary Examiner. The claims appealed are 5, 6, 8, 10, 11, 15, 16, 19, 26-30, 32-41, 43, 44, 46, 48-52, and 55-101.

The item(s) checked below are appropriate:

- XX Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- XX The fee has been calculated as shown below:
- \$300.00,
- XX \$150.00 (small entity)
- Not required (fee paid in prior appeal)
- XX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

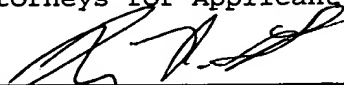
Response filed within:	Response filed within:
— first - \$ 55.00	— first - \$ 110.00
— second - \$190.00	— second - \$ 380.00
<u>XX</u> third - \$435.00	— third - \$ 870.00
— fourth - \$680.00	— fourth - \$1,360.00
month after time period set.	month after time period set.

XX Less fees (\$245.00) already paid for two months extension of time on September 7, 1999 and October 27, 1999.

- XX Check number 23944 in the amount of \$340.00 is attached.
- XX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

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02 FC:217 190.00 DP